REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims as amended.

Claims 9 to 28 are pending in the application. Claims 9 to 28 were rejected. Claims 9, 25 and 26 are amended herein. Claims 1 - 8 were previously cancelled.

Claims 9 -22 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noda et al. in view of Aarnio. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noda et al. in view of Aarnio and further in view of Reed.

Applicants note that page 8, lines 6 - 24 describe programs being stored on storage medium and have added text to make it clear, as known in the art, that storage medium is used to store programs to control handheld devices as well as servers or computers to make it clear that storage medium id directed toward statutory subject matter.

Applicants again wishes to thank the Examiner for his detailed Office Action and comments. Applicants have again reviewed the cited art with the Examiner's comments in mind and offer the following. Noda teaches taking an image, extracting characteristics of the image, use the extracted characteristics to search for like characteristics and returning an image that is associated with those like characteristic with a corresponding description. Applicants teach taking an image, searching for like images and returning like images with an associated hyperlink. Applicants recognize that by returning like images with associated URLs, users can quickly determine if an image is applicable or not and if so, then link to the content of the associated URL. Applicants have further recognized that an image of known interest can be used to find an object of less recognized interest in the physical area of the object of known interest.

Noda teaches a retrieval system with a flower database with flower characteristics and associated images and when a search of the characteristics produces a result, the associated image

is returned. Noda teaches a technique to capture an image (here a flower) and have the user enter some simple characteristics of the flower and then send the latter using a PDA to an image retrieval server where characteristics of the submitted images are extracted and used to find similar characteristics and the image associated with the similar characteristics is retrieved and the results of the retrieval from the flower database is displayed on a web page constructed on the server. Images and characteristics of the flowers are stored in advance in the database in the server. In applicant's invention, the server 24 has collected a plurality of images and the associated hyperlink of the computer location of where server 24 found the image and associated text and when a matching image is found the image and the URL of the original location of the image is provided to the user. If the resulting image is of interest, the user can connect to the URL and observe the web page containing the like image. Nowhere in Noda does it suggest a database of images and associated URLs of computers with web pages having in their content the image of interest.

A further review of Aarnio shows it teaches that a service server 24 is communicating with the Internet and may query the Internet in response to a query concerning goods or services. Nothing in Aarnio is suggesting that images are being used to instigate these queries but that a user would input a request for service station or fuel and the service server would return locations of service station in the proximity of the user. The server as taught by Aarnio is using text data to search and the location server using general location address and text data compares the information to geographical location information stored in a database and then the location information is transmitted back to the mobile station. Aarnio does not suggest the use of a database of images with associated URLs to identify the web page of the image.

For the reasons discussed above, Applicants submit that Claim 9 is distinct over Noda et al. in view of Aarnio, since the cited references neither describes nor suggests the claimed embodiment where communicating to an user any resulting relevant images and associated hyperlinks of found similar images....

Claims 10 - 24 depend from and thus include the limitations of Claim 9. Thus, Applicants submit that Claims 10 - 24 are patentably distinct over the cited references at least for the reasons discussed above in conjunction with Claim 9.

Applicants submit that Claim 25 and 26 are also distinct over Noda et al. in view of Aarnio for the reasons discussed above.

Applicants have submitted herewith a Petition for an Extension of Time for three months with authorization to charge Daly, Crowley, Mofford & Durkee, LLP Deposit Account No. 50-0845 to cover the costs of the petition.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Accordingly, re-examination and reconsideration are requested in view of the above amendment and remarks.

Respectfully submitted,

Dated: April 10, 2009

DALY, CROWLEY, MOFFORD & DURKEE, LLP

By: /Donald F. Mofford/

Donald F. Mofford
Reg. No. 33,740
Attorney for Applicant(s)
354A Turnpike Street - Suite 301A
Canton, MA 02021-2714
Tel.: (781) 401-9988, Ext. 113
Fax: (781) 401-9966
dfm@dc-m.com

97234